

REMARKS

This is intended as a full and complete response to the Office Action dated April 3, 2008, having a shortened statutory period for response set to expire on July 3, 2008. Applicant has attached a Petition for a One Month Extension of Time, in accordance with 37 C.F.R. §1.136, extending the statutory period until August 3, 2008, which is a Sunday, therefore a response filed on August 4, 2008, is timely. Applicant requests entry and consideration of the above noted amendments and the following remarks in response to the Office Action.

Applicants would like to thank the Examiner for the interview of July 15, 2008.

Claims 11-30 are currently pending in the application. Claims 1-10, 24, and 27 have been canceled. Claims 11, 22, and 25 have been amended.

Claim Rejections

35 U.S.C. § 112, second paragraph

Claims 11-30 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Particularly, the Examiner states that there is insufficient antecedent basis for a limitation in step (c). Applicant has amended claim 11 to correct a typographical error that resulted in the "first catalyst" being unintentionally omitted. Support for such amendment can be found in original claim 1 and at least at page 3, second full paragraph. Additionally, claim 1 recites the use of a second catalyst system in step (b), therefore a first catalyst system in step (a) would be necessary. Applicant requests withdrawal of this rejection and allowance of the claims.

35 U.S.C. § 102(b) & § 103(a)

Claims 11-17, 19 and 21-27 are rejected under 35 U.S.C. § 102(b) as being anticipated by Debras et al. (EP 989140). Claims 20 and 28-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Debras.

Debras teaches methods for making a resin having a bi-modal or multi-modal molecular weight distribution. Example 4 of Debras teaches a chemical blend prepared by injecting in a first reactor of two serially connected reactors a catalyst system, ethylene monomer, 1-hexene co-monomer and hydrogen in order to produce the low molecular weight fraction of the blend. The resin from the first reactor is then transferred to the second reactor wherein additional ethylene and 1-hexene are injected in order to produce the high molecular weight fraction.

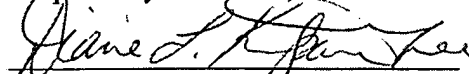
Claim 11 has been amended to state that the reactors are tank reactors. Support for such amendments can be found at least at page 1, first paragraph, of the specification. Support for the use of hydrogen in the first reactor and the co-monomer in the second reactor can be found at least in the Examples. Claims 22 and 25 were amended accordingly to reflect the amendments made in claim 11.

The presently amended claims differ from Debras in that the co-reactants are not mixed in the reactors, specifically that the hydrogen is in the first reactor and the olefin co-monomer is in the second reactor. The Examiner has stated that there will always be a fraction of hydrogen that will be unreacted in the first reactor and that will seep into the second reactor and provide a mixture of co-reactants. Applicants respectfully disagree. Applicants argue that the catalyst component is so efficient in absorbing hydrogen that there is no hydrogen left in the first reactor, and thus no hydrogen introduced into the second reactor. As stated in the specification, because the catalyst is so efficient at responding to the hydrogen in the first reactor, there is no need to remove excess quantities of hydrogen from the first reactor. See bridging paragraph of pages 3 and 4 of the Specification. Applicants respectfully argue that Debras does not disclose the specific limitations of the presently amended claims, nor does it teach, show, or suggest the presently amended claims. Additionally, there is no motivation to modify Debras to obtain the presently amended claims.

In conclusion, Applicants submit that the references cited in the Office Action, neither alone nor in combination, teach, show, or suggest the presently amended claims. Having addressed all issues set out in the Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request the same.

Date 08-04-08

Respectfully submitted,



Diane L. Kilpatrick-Lee

Registration No. 56,211

FINA TECHNOLOGY, INC.

P.O. Box 674412

Houston, Texas, 77267-4412

Telephone: 713-483-5390

Facsimile: 713-483-5384

Attorney for Applicant(s)